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BEFORE THE
ILLINOIS COMMERCE COMMISSION

ILLINOIS POWER COMPANY d/b/a)
AmerenIP and AMEREN ILLINOIS) DOCKET NO.
TRANSMISSION COMPANY) 06-0706
)
)
Petition for a Certificate of)
Public Convenience and Necessity,)
pursuant to Section 8-406 of the)
Illinois Public Utilities Act, to)
construct, operate and maintain)
new 138,000 volt electric lines in)
LaSalle County, Illinois.)

Wednesday, December 5, 2007

Springfield, Illinois

Met, pursuant to notice, at 9:30 a.m.

BEFORE:

MR. JOHN ALBERS, Administrative Law Judge

APPEARANCES:

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(Appearing on behalf of
Petitioners via teleconference)

SULLIVAN REPORTING CO., by
Carla J. Boehl, Reporter
CSR #084-002710

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16 MR. ERIC MADIAR
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12 MR. JAMES A. MCPHEDRAN
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21 LaSalle-Peru Township High
22 School via teleconference)

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2						
3	WITNESSES			DIRECT		CROSS
4	None .					
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12						
13				EXHIBITS		
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JUDGE ALBERS: By the authority vested in me by the Illinois Commerce Commission, I now call Docket Number 06-0706. This docket was initiated by Illinois Power Company d/b/a AmerenIP and Ameren Illinois Transmission Company. The petitioners seek a Certificate of Public Convenience and Necessity to construct, operate and maintain two new 138,000 volt electric lines in LaSalle County, Illinois.

May I have the appearances for the
record, please?

MR. McPHEDRAN: James A. McPhedran, corporate counsel for the City of LaSalle. I am with Raccuglia and Associates.

JUDGE ALBERS: And your address, please?

MR. MCPHEDRAN: 1200 Maple Drive, Peru,
Illinois.

JUDGE ALBERS: Thank you.

MR. MURPHY: On behalf of SOLVE and PROTED 80,
Joseph D. Murphy, 306 West Church Street, Champaign,
Illinois 61820.

MR. MADIAR: On behalf of the Illinois 71

1 Resistors, Eric Madiar, M-A-D-I-A-R, with Freeborn &
2 Peters, LLP, 317 East Monroe Street, Suite 202,
3 Springfield, Illinois 62701.

4 MR. SHAY: On behalf of SHOCK, William M. Shay,
5 456 Fulton Street, Suite 203, Peoria, Illinois 61602.
6 The phone is (309) 636-7167.

7 MR. LEIGH: On behalf of the City of Ottawa,
8 Keith R. Leigh, L-E-I-G-H, of Pool, Leigh and Kopko,
9 PC, 28 Columbus Street, Suite 208, Ottawa, Illinois
10 61350.

11 MR. KLEIN: Representing the Village of Utica,
12 Herb Klein, K-L-E-I-N, 925 Shooting Park Road, Suite
13 A, Peru, Illinois 61354.

14 MR. STURTEVANT: Appearing on behalf of Ameren,
15 Albert Sturtevant, S-T-U-R-T-E-V-A-N-T, Jones Day, 77
16 West Wacker, Chicago, Illinois 60601. My phone
17 number is (312) 269-4094.

18 MR. ZUKOWSKI: On behalf of LaSalle-Peru
19 Township High School, Walt Zukowski, Zukowski Law
20 Offices, 817 Peoria Street, Peru, Illinois 61354,
21 (815) 223-3434.

22 MS. VON QUALEN: Jan Von Qualen and Jim Olivero

1 on behalf of the Staff witnesses of the Illinois
2 Commerce Commission.

3 JUDGE ALBERS: Any others wishing to enter an
4 appearance? Let the record show no response.

5 First, please when you speak, please
6 state your name so the court reporter can identify
7 who that voice belongs to.

8 Can everyone hear me all right? I am
9 getting a little bit of static on this end.

10 UNIDENTIFIED SPEAKER: Yes.

11 UNIDENTIFIED SPEAKER: Yes.

12 JUDGE ALBERS: As far as preliminary matters, I
13 have a few. I have had a chance to look over the
14 Petitions to Intervene of Donna Wahlstrom and the
15 City of LaSalle. I hope everyone else has, too. Are
16 there any objections to those petitions? Hearing
17 none, they are granted.

18 My next matter is the AmerenIP Exhibit
19 19.3 that I received since our last hearing. I
20 understand this was submitted in accordance with the
21 revised additional statement of Darrell Hughes
22 submitted as AmerenIP Exhibit 19.2 Revised, is that

1 correct?

2 MR. STURTEVANT: That is correct, Your Honor.

3 JUDGE ALBERS: And are there any objections to
4 admitting this exhibit?

5 MR. MCPHEDRAN: Judge, when was that one -- I
6 have gotten a couple of them from Ameren. I don't
7 think so. That's not -- that's an earlier one. That
8 has nothing to do with the yellow route.

9 JUDGE ALBERS: Who is this?

10 MR. MCPHEDRAN: Jim McPhedran with Raccuglia &
11 Associates, I am sorry.

12 JUDGE ALBERS: Yeah, it has nothing to do with
13 the yellow route. Was there any kind of affidavit of
14 any sort to accompany that exhibit?

15 MR. STURTEVANT: I don't believe so, Your
16 Honor. I believe that it was just the agreement,
17 stipulation or whatever was afforded, I think, by
18 affidavit. But the additional exhibit was, I guess,
19 in the nature of a follow-up as required by the
20 initial stipulation with Staff.

21 JUDGE ALBERS: I just can't recall the language
22 of Exhibit 19.2 Revised. If there is a consensus

1 that it would cover this 19.3, I am comfortable with
2 that.

3 MS. VON QUALEN: This is Jan Von Qualen for
4 Staff. I think it probably would be prudent to have
5 either a verification or an affidavit with it.

6 MR. STURTEVANT: That's fine, Your Honor. We
7 can submit an affidavit in support of 19.3.

8 JUDGE ALBERS: Why don't we just call that 19.4
9 then so we know what to call it.

10 Does anyone see any need on holding
11 off on admitting it then subject to the receipt of
12 the affidavit?

13 MS. VON QUALEN: Jan Von Qualen, yeah, that
14 would be fine with Staff.

15 JUDGE ALBERS: Okay. So there is no objection
16 to admitting these two exhibits now, and we will just
17 get the affidavit shortly. Hearing no objection,
18 then AmerenIP Exhibit 19.3 and 19.4 are admitted.

19 (Whereupon AmerenIP Exhibits
20 19.3 and 19.4 were admitted into
21 evidence.)

22 JUDGE ALBERS: Turning now to the SHOCK Cross

1 Exhibits 2 and 3, we received Ameren's response to
2 the position of PROTED and SOLVE. Aside from what's
3 been already set in writing, are there any other
4 objections to taking administrative notice of SHOCK
5 Cross Exhibits 2 and 3? Does anyone want to cross
6 exam Mr. Bennett on PROTED Exhibits 3.0, 3.1, 3.2 and
7 3.3?

8 I am taking the silence as no's. So
9 if you disagree with that, say something.

10 Is there any objection to treating
11 paragraphs four and eleven of PROTED Exhibit 3.0 as
12 legal argument as requested by SHOCK?

13 UNIDENTIFIED SPEAKER: No objection, Your
14 Honor.

15 MR. MURPHY: No objection, Your Honor. This is
16 Joe Murphy.

17 JUDGE ALBERS: So then is there any objection
18 to admitting PROTED Exhibits 3.0, 3.1, 3.2, and 3.3?

19 MR. STURTEVANT: Your Honor, this is Bert
20 Sturtevant. We would have no objection subject to
21 the admission of Mr. Emmons' affidavit.

22 JUDGE ALBERS: Okay. I will ask that question

1 next before I make that ruling. First of all, does
2 anyone want to cross examine Mr. Emmons on AmerenIP
3 Exhibit 16.15? Okay. I will take that as a no.

4 Is there any objection then to
5 admitting AmerenIP Exhibit 16.15? I will take that
6 as a no.

7 So with that, PROTED Exhibits 3.0
8 through 3.3 are admitted. I assume they appear on
9 e-Docket; and AmerenIP Exhibit 16.15 is admitted.
10 And we will treat paragraphs four and eleven of
11 PROTED Exhibit 3.0 as legal argument as requested by
12 SHOCK.

13 (Whereupon PROTED 80 Exhibits
14 3.0, 3.1, 3.2, 3.3, and AmerenIP
15 Exhibit 16.15 were admitted into
16 evidence.)

17 MR. MURPHY: Your Honor, this is Joe Murphy.
18 The one other, I guess, note I would like to make is
19 I understand when SHOCK filed their response to our
20 motion to file the affidavit, it was done with a
21 verification. But it is my understanding that the
22 contents of that response are not being submitted

1 into testimony but are SHOCK's legal arguments
2 nonetheless.

3 MR. SHAY: This is Bill Shay. The verification
4 was intended to verify any factual averments in that
5 filing which I guess is standard procedure under the
6 Rules of Practice.

7 MR. MURPHY: And this is Joe Murphy again. I
8 guess my concern is there was some factual assertions
9 made in the argument which I didn't see existed. It
10 started another argument about the argument. But I
11 trust they are not evidentiary facts.

12 MR. SHAY: Joe, this is Bill Shay again. Do
13 you have any specific items within that response, for
14 examples?

15 MR. MURPHY: Let me pull it out and I will tell
16 you. I am sorry, rushing to it.

17 MR. SHAY: While you are looking, I would just
18 note that there are references to exhibits in the
19 transcript to support for a factual basis.

20 MR. MURPHY: Well, if there are things in the
21 transcript that are in evidence, I have no objection
22 to anybody relying on them. I guess I am looking in

1 part or just by way of example in paragraph 5 there
2 is an assertion about whether Flaherty Field has
3 planes that take off and land there. There is no
4 evidence that planes do in fact on any regular basis
5 or at all take off and land there.

6 Those are the sorts of things that,
7 you know, that if there is evidence, it is evidence.
8 To put it in the response to a motion and call it
9 evidence, that I would object to.

10 JUDGE ALBERS: Well, I am not going to take
11 assertions like that as evidence. I will rely on
12 what's been admitted in the exhibits or what's been
13 derived from cross examination.

14 MR. MURPHY: Thank you, Your Honor. I don't
15 have any further objection to that.

16 JUDGE ALBERS: Okay. And then the last thing,
17 I believe, with this issue is hearing no further
18 objection than what's already been put in writing, I
19 am going to take administrative notice of SHOCK Cross
20 Exhibits 2 and 3.

21 The next issue is Mr. Cruse's
22 testimony. We received Ameren's motion on November

1 28 regarding rebuttal and surrebuttal testimony of
2 Mr. Cruse, Emmons and Murbarger. Does anyone have a
3 response to that motion or, for that matter, any
4 objections?

5 MS. VON QUALEN: This is Jan Von Qualen for
6 Staff. Staff would like to file a response to that
7 motion.

8 JUDGE ALBERS: Anyone else?

9 MR. MADIAR: Your Honor, on behalf of the
10 Illinois 71 Resistors, this is Eric Madiar. As you
11 know, at the evidentiary hearing we had an
12 outstanding motion to strike Mr. Cruse's testimony,
13 his rebuttal and surrebuttal testimony. We are
14 continuing, and diligently optimistic, about
15 receiving some kind of resolution with Ameren
16 regarding this. We are still working with Ameren on
17 that. So at this point we are still in the same
18 position we were from the evidentiary hearing. To
19 the extent that we would need to have Staff file
20 responses, we would agree with Staff. I believe that
21 --

22 JUDGE ALBERS: Mr. Madiar, I am going to cut

1 you off. The static is getting noticeably worse on
2 this end. We are having a hard time understanding
3 you.

4 MR. MADIAR: I am sorry about that, Your Honor.

5 JUDGE ALBERS: It is not your fault.

6 MR. MADIAR: Where did I leave off?

7 JUDGE ALBERS: Well, I am debating whether we
8 should just terminate the call and reinitiate it here
9 in a moment. Can you guys in Springfield hear very
10 well?

11 MS. VON QUALEN: No, we can't really
12 understand.

13 JUDGE ALBERS: Okay. Well, it is not just me.

14 MR. MADIAR: Okay. I will call back in, Your
15 Honor.

16 JUDGE ALBERS: Why don't we all do that? We
17 will recess for a couple of minutes and hang up and
18 dial the number again, please.

19 (Whereupon the hearing was in a
20 short recess.)

21 JUDGE ALBERS: All right. Mr. Madiar, you were
22 saying -- we are back on the record.

1 Mr. Madiar, you were saying when we
2 broke off that your client still has a pending
3 motion. I assume -- I am sorry, was that a pending
4 motion to strike all of Mr. Cruse's rebuttal and
5 surrebuttal testimony?

6 MR. MADIAR: With respect to the Illinois 71
7 Resistors, yes.

8 JUDGE ALBERS: And then you were saying?

9 MR. MADIAR: We are working with Ameren on
10 achieving a resolution for our concerns. But as of
11 this point we are still working on that. I am
12 optimistic that we will reach agreement. We don't
13 have anything at this time. So with respect to
14 Staff's request for time to respond, we would agree
15 with that response. But assuming we obtain an
16 agreement with Ameren, our motion to strike will
17 become moot, and our need to respond would
18 essentially also become moot. So that is where the
19 Illinois 71 Resistors are at.

20 MR. STURTEVANT: Your Honor, this is Bert
21 Sturtevant on behalf of Ameren. And Mr. Madiar is
22 correct that we are still in the midst of ongoing

1 negotiations, but I think all the parties are
2 optimistic that although we haven't reached an
3 agreement yet, one will be reached. And if an
4 agreement is reached, you know, we would present a
5 form of a stipulation or something, a document, to
6 the Commission.

7 JUDGE ALBERS: Okay. Well, how much time would
8 Staff like to respond to the motion or, for that
9 matter, do you just want to hold off until you hear
10 from Mr. Madiar and Mr. Sturtevant?

11 MS. VON QUALEN: This is Jan Von Qualen. My
12 understanding is that their discussions will not
13 affect Staff's need to file a response, as far as I
14 know. We would like until December 13, if possible.

15 JUDGE ALBERS: That's fine with me.

16 MR. SHAY: This is Bill Shay on behalf of
17 SHOCK. We do not plan to file a response, but I
18 wanted to state on the record that we are in support
19 of Ameren's motion.

20 JUDGE ALBERS: Okay, thank you.

21 MR. LEIGH: Your Honor, this is Keith Leigh on
22 behalf of the City of Ottawa. The City is in the

1 same position as has been represented by Mr. Madiar
2 and the Illinois Route 71 Resistors. We are also in
3 discussions with Ameren. And if in fact we resolve
4 the issues that are under discussion, then there
5 would be no necessity on behalf of the City of Ottawa
6 to file a response.

7 But we, like the Illinois 71
8 Resistors, join in the motion to strike all of Mr.
9 Cruse's testimony as we agreed in Springfield. So
10 those motions remain pending but also may become
11 totally moot if we resolve our issues.

12 JUDGE ALBERS: Okay. I am just taking some
13 notes.

14 All right. Do we want to set a date
15 for Ameren to reply to Staff's response?

16 MR. STURTEVANT: Sure, Your Honor. I guess if
17 Staff is saying December 13, we would have a reply on
18 December 20.

19 JUDGE ALBERS: All right.

20 MR. MURPHY: Your Honor, this is Joe Murphy.
21 Insofar as Ameren's motion mentions a concurrence of
22 PROTED and SOLVE, correctly mentions them, I would

1 like permission ahead of time that, if appropriate, I
2 might file a reply in support of the motion,
3 depending on what Staff's comments are.

4 JUDGE ALBERS: All right. I can understand
5 your concern. I will leave any further thoughts --
6 well, let me ask this. Actually, I can ask this one.
7 Do any of the six pieces of revised testimony offered
8 with the motion, do any of those revisions affect the
9 attachments to the testimony?

10 MR. STURTEVANT: I don't believe so, Your
11 Honor. I believe that the attachments are unchanged
12 and the exhibit references are unchanged as well.

13 JUDGE ALBERS: Okay, great. All right. Well,
14 I will not take any further action with regard to
15 that motion of Mr. Cruse's testimony until we hear
16 from Staff and hopefully we hear something soon from
17 Mr. Madiar and Mr. Leigh. Is there any time frame
18 that you folks are contemplating in your efforts to
19 get your concerns wrapped up?

20 MR. STURTEVANT: Your Honor, this is Bert
21 Sturtevant. I think we are contemplating as soon as
22 possible, but obviously I am not sure exactly how

1 long that's going to be.

2 JUDGE ALBERS: Well, let's try to take care of
3 that by the end of the year, basically. I don't know
4 if we are going to meet again this month, but in the
5 next couple of weeks I hope we can get that resolved
6 one way or the other.

7 Okay, I don't have anything else with
8 regard to Mr. Cruse's testimony. Is there any other
9 comment somebody want to raise with regard to his
10 testimony?

11 MR. SHAY: Bill Shay again. Your Honor, I
12 stated earlier that we do not intend to file a
13 response to the pending motion, but we would, similar
14 to Joe Murphy, we would like to reserve the right to
15 file a reply depending on what other responses are
16 filed.

17 JUDGE ALBERS: All right. Okay. Turning to my
18 last item, is the yellow route. I looked at Ameren's
19 testimony that they submitted last week, and I am
20 satisfied with Ameren's response, and I see no need
21 to pursue this route. But I do believe it would be
22 appropriate to enter the three pieces of testimony

1 into the record since it has been provided in
2 response to my request on the record. Does anyone
3 have any objection to doing so or any other concerns
4 along those lines?

5 MR. MCPHEDRAN: Well, Your Honor, James
6 McPhedran, corporate counsel of the City of LaSalle.
7 If we are certain the yellow route is not going to be
8 pursued, then I don't have an objection to it. We
9 certainly, however, on behalf of the City of LaSalle,
10 intervenor, would like to put on the record a
11 response to something of that yellow route, just so
12 we have our position on the record more fully in
13 reference to that, in case there are any other
14 proceedings after Your Honor makes any.

15 JUDGE ALBERS: What were you contemplating?

16 MR. MCPHEDRAN: Well, we just got these
17 materials, but if we could have 30 days.

18 JUDGE ALBERS: Well, I am telling you right now
19 I don't intend to pursue the yellow route any
20 further.

21 MR. MCPHEDRAN: All right. Well, then how
22 about if we just have two weeks to get something on

1 file.

2 JUDGE ALBERS: I guess I am not sure beyond
3 what I have said you want to offer into the record.

4 MR. MCPHEDRAN: I understand Your Honor is not.
5 I am not certain -- I haven't researched the
6 appellate process at the Commerce Commission on
7 whether you are the end all authority. But if there
8 is an appellate process, then I would like to add
9 something further on the record from LaSalle's
10 standpoint as to why we concur with Your Honor's
11 position that the yellow route should not be pursued.

12 MR. SHAY: Is there any party -- is there any
13 proponent of the yellow route at this point in this
14 proceeding?

15 JUDGE ALBERS: Not that I am aware of.

16 MR. SHAY: This is Bill Shay again. I am not
17 sure I see the necessity for what Mr. McPhedran is
18 suggesting.

19 MR. MCPHEDRAN: If there is no proponent of the
20 yellow route and there would be no indication of
21 anyone arguing for it, then I suppose we don't need
22 to make a response. I would concur with that.

1 JUDGE ALBERS: And speaking for myself, if the
2 Commission were to on its own seek to go down that
3 route, I would advise them that they should get the
4 input of the opponents of the yellow route.

5 MR. MURPHY: Your Honor, this is Joe Murphy. I
6 guess the one other question I have about admitting
7 that testimony -- and, I don't know, are you
8 proposing to admit that testimony into the record or
9 just leave it out?

10 JUDGE ALBERS: Well, I was proposing to admit
11 it into the record since it has been offered pursuant
12 to my request that it be put together.

13 MR. MURPHY: And the only -- my concern about
14 putting it into the record and -- my concern about
15 putting it into the record is there are some
16 comments, comparative comments, made between the
17 yellow route and the green route, some of which I
18 don't believe are entirely accurate. I am not sure
19 as I sit here that I would pursue it, but I guess,
20 maybe like Mr. McPhedran, I would kind of like to
21 think about what the impact is of even having the
22 testimony in the record because it does make

1 additional comments about the green route, some of
2 which were purposely stricken from Mr. Cruse's
3 testimony. I am just a little concerned about the
4 impact of just tossing it in the record and saying
5 that's fine.

6 And I don't want to say today that we
7 need to hold the record up and hold the schedule up
8 so that we can respond, but I guess I am a little
9 reluctant to leave that go without having an
10 opportunity to consider that.

11 JUDGE ALBERS: I am thinking about it.

12 MR. MCPHEDRAN: James McPhedran again, Your
13 Honor. I would respect Your Honor's position on it,
14 but I would for the record, since we have intervened,
15 would like to at least submit something on the
16 LaSalle line. If Your Honor declines that request on
17 the basis that it is not necessary, then I respect
18 that, too. I understand it. Because there are some
19 things in there that aren't one of the roads it would
20 go on in the testimony.

21 JUDGE ALBERS: Mr. Sturtevant, does Ameren want
22 that in the record, your response to my request?

1 MR. STURTEVANT: Your Honor, I guess my initial
2 reaction is that because you have issued the request,
3 that would be sufficient for -- or it would be
4 necessary for the completeness of the record to have
5 this information in the record. However, if it is a
6 situation where in the interest of time, and we can
7 speed things along by offering to withdraw the
8 testimony, I believe that's something we might
9 consider. However, I am not sure that I am in a
10 position to commit to that at this very moment.

11 I guess if that were the case, I am
12 not sure, would Your Honor issue a ruling or a notice
13 or something indicating -- I guess my only question
14 would be what would be the record basis for your
15 determination, having raised the yellow route issue.
16 What would be the record basis for determining to not
17 consider it further? There is some information
18 regarding yellow route already in Mr. Emmons'
19 rebuttal testimony, I believe, which might be
20 sufficient, I guess.

21 But, you know, given that the yellow
22 route was brought into play, I guess it seems like

1 there should be something in the record that would
2 support the determination and could be pointed to as
3 supporting the determination to not consider it
4 further.

5 MR. MURPHY: Your Honor, as a suggestion in
6 that regard, would it be sufficient for you to
7 indicate on the record that in response to your
8 request for information about the yellow route,
9 Ameren tendered information that caused you to
10 withdraw your request, but that the information -- I
11 mean, it is like a proffer of testimony that
12 ultimately is not admitted because for whatever
13 reason.

14 JUDGE ALBERS: Yeah, I initially had the same
15 thoughts that Mr. Sturtevant expressed. But I am
16 pondering something along the lines that you
17 mentioned Mr. Murphy. Is there any objection to that
18 route?

19 MR. MCPHEDRAN: No, Your Honor.

20 MR. STURTEVANT: Your Honor, this is Bert
21 Sturtevant again. The only other possibility I can
22 think of is if there is certain testimony that

1 Mr. Murphy finds most problematic, and I am sure I
2 can guess which ones they are, whether it would be
3 sufficient for Ameren to enter the testimony of
4 Mr. Emmons as a record basis and withdraw the rest of
5 the testimony. If that also seems to be too
6 cumbersome, I think we would agree with the approach
7 where you state on the record or otherwise indicate
8 in some form of ruling that the information was
9 tendered and reviewed, and the issue was not pursued
10 any further.

11 MR. MURPHY: Judge, this is Joe Murphy again.
12 Just one other suggestion, and I am following up on
13 something Mr. Sturtevant pointed out, if you look at
14 Exhibit 9.7 to Mr. Emmons' surrebuttal testimony, it
15 actually lists the pros and cons of the different
16 routes, including the yellow one, which might also
17 provide the judge with a record basis to say, you
18 know, in further consideration of those and what
19 Ameren tendered, the Commission shouldn't pursue the
20 yellow route. But there is some record evidence
21 showing the pros and cons.

22 JUDGE ALBERS: I am sorry, you are suggesting?

1 MR. MURPHY: I am suggesting that either in
2 addition to or instead of a suggestion I just made
3 about making a record statement about the tender,
4 that you cite Exhibit 9.7 which is already in the
5 record.

6 JUDGE ALBERS: Okay. I am comfortable with
7 that.

8 Then I will note that in response to
9 my request for information at our last hearing Ameren
10 offered additional information in the form of
11 prepared testimony of Douglas Emmons, Roger Nelson
12 and Terry VanDeWalle. I have looked at that. I am
13 no longer -- I believe that Ameren has complied with
14 my request for information and I don't see any need
15 to seek further information along that, regarding
16 that segment of the route discussed in Mr. Emmons'
17 Exhibit 9.0 and further discussed in Exhibit 9.6.

18 All right. I think that's all I have
19 on the yellow route question. Does anyone else have
20 anything further regarding the yellow route? Okay.

21 If not, I don't have any other issues
22 to raise today. Does anyone else have any other

1 issues? I think the only thing we have to wrap up
2 then is the Cruse testimony, and we will be seeing a
3 Staff response on December 13 and Ameren reply on
4 December 20 and possibly something from SOLVE/PROTED
5 and SHOCK. And Mr. Madiar and Mr. Leigh will be
6 working with counsel from Ameren to resolve their
7 concerns, I hope sooner rather than later.

8 And let me look at my calendar here as
9 far as when to continue this to. Why don't we go off
10 the record for a minute to look at our calendars?

11 (Whereupon there was then had an
12 off-the-record discussion.)

13 JUDGE ALBERS: Back on the record. It appears
14 that everyone's schedule permits a status hearing on
15 January 3 of next year at 9:30 a.m. And with that,
16 is there anything else for the record today? Hearing
17 nothing, we will continue this to January 3 at 9:30.

18 (Whereupon the hearing in this
19 matter was continued until
20 January 3, 2008, at 9:30 a.m. in
21 Springfield, Illinois.)

22